

### **REMARKS**

The Applicants wish to thank the Examiner for his willingness to discuss the Office Action mailed 04/01/04 by phone with the Applicants on 17 June 2004. In that phone conversation the Examiner stated that this Amendment after Final would be entered and that it should include discussion of Applicants' priority date preceding that of the Primary Reference used against the Applicants' Application in the Office Action. The Examiner also suggested a change to the independent claim number 65 that provided clarification and more distinctly claimed the subject matter. This change is now included in the currently amended claim number 65. Additionally in the Office Action the Examiner has objected to Claim 88 as being improper; this claim has now been cancelled.

The Applicants wish to state that an initial Parent Application entitled Endovascular Folded Tubular Endoprosthesis, 09/299,512 was filed on 26 April 1999 and resulted in issued US patent No. 6,287,335; a First Divisional, 09/897,879 was filed on 2 July 2001 having the same title and priority date and resulted in issued US patent No. 6,451,051; a Second Divisional, 10/036,175 was filed on 26 December 2001 having the same title and priority date and is currently pending; a Request for Continued Examination was filed on 27 September 2003 for this Second Divisional Application of which we are currently prosecuting. It is the belief of the Applicants that the priority date for the present Application therefore extends back to that of the Parent Application, 26 April 1999. The Applicants therefore feel that the concerns raised by the Examiner by referencing prior art patents by Greenhalgh (2002/0058992, filed: 25 Oct 2001 and based on a Provisional Application filed on 30 Oct 2000), and Dehdashtian (6,344,056, filed: 29 Dec 1999) are not applicable for use by the Examiner to raise obviousness arguments or anticipation arguments against Applicants invention.

Applicants respectfully request that Examiner reconsider the claims in their current form for allowance.

Respectfully submitted,



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#### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service using Express Mail Post Office on the date indicated here and addressed to: Mailstop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA., 22313-1450, on 25 June, 2004.

Signature:  Date: 25 June 2004

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